

Message Text

LIMITED OFFICIAL USE

PAGE 01 GENEVA 01482 011614Z
ACTION EB-08

INFO OCT-01 EUR-12 IO-13 ISO-00 STRE-00 AGRE-00 CEA-01
CIAE-00 COME-00 DODE-00 FRB-03 H-01 INR-07 INT-05
L-03 LAB-04 NSAE-00 NSC-05 PA-01 AID-05 SS-15 STR-04
ITC-01 TRSE-00 PRS-01 SP-02 FEAE-00 OMB-01 NSCE-00
SSO-00 USIE-00 INRE-00 AF-08 ARA-06 EA-07 NEA-10
OIC-02 /126 W

-----011619 093510 /50

O R 011550Z MAR 77
FM USMISSION GENEVA
TO SECSTATE WASHDC IMMEDIATE 5548
INFO AMEMBASSY BRUSSELS
AMEMBASSY OTTAWA
AMEMBASSY PARIS
AMEMBASSY THE HAGUE
USMISSION EC BRUSSELS

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PASS STR ELECTRONICALLY

PASS TREASURY

PASS EB/OT FOR BARRACLOUGH

E.O. 11652: NA
TAGS: GATT, ETRD, EEC
SUBJ: GATT COUNCIL CONSIDERATION OF DISC AND RELATED TAX
PRACTICES

REF: STATE 43020

1. WE HAVE LEARNED THAT AT LEAST ONE OF THE THREE OTHER
COUNTRIES AFFECTED BY SUBJECT PANEL DECISIONS PLAN DURING
MARCH 2 GATT COUNCIL TO PROPOSE ADDITIONAL QUESTIONS TO THE
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CONCERNED PANEL. THIS WOULD BE A MEANS OF QUESTIONING THE
PROFESSIONAL CONCLUSIONS OF THE PANELS AND WOULD ALSO SERVE
AS A CONVENIENT DEVICE TO SEPARATE THE FRENCH, BELGIAN,
NETHERLANDS PANELS FROM THE DISC.

2. WE HAVE INDICATED THAT IT WOULD BE IRREGULAR AND TO
OUR KNOWLEDGE WITHOUT PRECEDENT TO POSE ADDITIONAL

QUESTIONS TO A GATT PANEL AFTER THE PANEL HAD REACHED ITS CONCLUSION. VAN TUINEN OF GATT SECRETARIAT AGREES. WE ALSO HAVE INDICATED THAT U.S. MIGHT THEN WISH TO HOLD OUT OPTION OF POSING QUESTIONS TO DISC PANEL IF THIS WERE NECESSARY TO MAINTAIN A LINKAGE BETWEEN THE FOUR.

3. IF IT BECOMES NECESSARY TO DO SO DURING THE COUNCIL, WE PLAN TO OFFER SOME EXAMPLES OF THE KINDS OF QUESTIONS THE US MAY WISH TO ASK ON THE DISC CONCLUSIONS IF THE OTHER PANEL CONCLUSIONS ARE REOPENED.

PARA 73 OF THE DISC REPORT (L/4422) SAYS THE SUBSIDY WAS SIGNIFICANT, YET PARA 71 IDENTIFIES ONLY THE LACK OF INTEREST CHARGE ON DEFERRED TAX PAYMENT AS A SUBSIDY.

PARA 75 REFERS TO THE SIZE OF THE "EXEMPTION", YET THE FACTORS NAMED IN THAT PARAGRAPH WOULD SEEM TO AFFECT ONLY THE AMOUNT OF "DEFERRAL".

4. IN THE EVENT THIS DEFENSIVE TACTIC PROVES NECESSARY, WE WILL MAKE IT CLEAR THAT THE ABOVE ARE ONLY EXAMPLES OF THE SORT OF QUESTION THE US MIGHT WISH TO ASK. WE NOT SEEKING ANY SPECIFIC ADDITIONAL INSTRUCTIONS BEYOND THE GUIDANCE PROVIDED IN REFTEL AND WILL HANDLE MATTER IN ABOVE MANNER UNLESS WASHINGTON SEES OBJECTION.CATTO

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MEETING AGENDA, TRADE, TARIFF LIBERALIZATION
Control Number: n/a
Copy: SINGLE
Sent Date: 01-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Executive Order: N/A
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ISecure: 1
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Line Count: 88
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Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 2d0a28ad-c288-dd11-92da-001cc4696bcc
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Previous Handling Restrictions: n/a
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Review Event:
Review Exemptions: n/a
Review Media Identifier:
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Secure: OPEN
Status: NATIVE
Subject: GATT COUNCIL CONSIDERATION OF DISC AND RELATED TAX PRACTICES
TAGS: ETRD, GATT, EEC
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Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/2d0a28ad-c288-dd11-92da-001cc4696bcc
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